

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Am & Eve, Inc.

t/a The Capitol Lounge

Application for a Retailer's Class

CT License (renewal)

at premises

229-231 Pennsylvania Avenue, S.E.

Washington, D.C.

Application no. 34251

2003-33

David P. Sheldon, on behalf of Advisory Neighborhood 6B, and Joseph A. Englert,
President of Am & Eve, Inc., Signatories

BEFORE: Roderic L. Woodson, Esquire, Chair

Vera Abbott, Member

Charles Burger, Member

Laurie Collins, Member

Judy Moy, Member

Ellen Oppen-Weiner, Esquire, Member

Audrey Thompson, Member

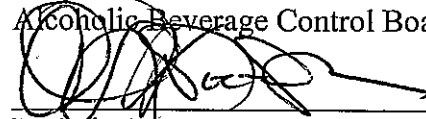
ORDER ON VOLUNTARY AGREEMENT

This matter came before the Board for approval on April 2, 2003. The signatories to the attached voluntary agreement dated March 18, 2003, submitted the agreement to the Board in accordance with the D.C. Official Code Title 25, Section 446 (2000 Edition).

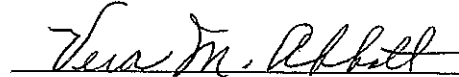
Having determined that the agreement complies with all applicable laws and regulations and the applicant qualifies for licensure, the Board does hereby this 9th day of April 2003, and **APPROVE** the license application conditioned on the applicant's compliance with the terms of the voluntary agreement and does **INCORPORATE** the text of the same into the Order.

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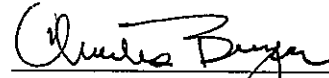
District of Columbia
Alcoholic Beverage Control Board



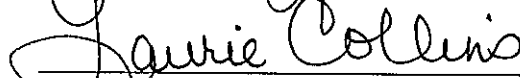
Roderic L. Woodson, Esquire, Chair



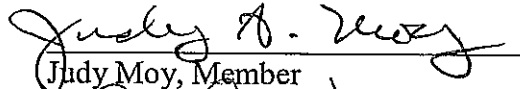
Vera Abbott, Member



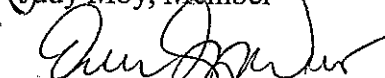
Charles Burger, Member



Laurie Collins, Member



Judy Moy, Member



Ellen Oppet-Werner, Esquire, Member



Audrey E. Thompson, Member

ABLA
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AGREEMENT

Made this 18th day of March 2003, by and between Am & Eve, Inc. t/a The Capitol Lounge, (the Applicant) and Advisory Neighborhood Commission 6B, (the ANC).

WITNESSETH

Whereas, Applicant's application for a Retailer's Class "CT" license for premises, 229-231 Pennsylvania Avenue, SE, Application #34251, is not pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailer's Class "CT" Liquor License at the subject premises;

WHEREAS, the parties wish to state their mutual desire to promote the peace, order and quiet of the 200 and 300 blocks of Pennsylvania Avenue. Both parties recognize the importance of blocks that are safe, clean and "pedestrian friendly."

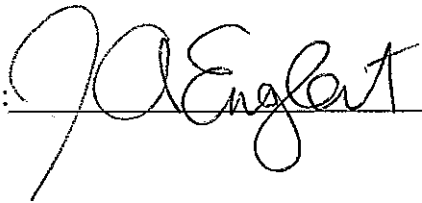
NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
 - a. picking up trash, including beverage bottles and cans, on a daily basis;
and,
 - b. sweeping the outside of the establishment on a daily basis; and,

- c. taking due diligence to prevent vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department to Public Works.
2. Applicant will have adequate kitchen, dining facilities, and employees, as these terms as defined in Title 23 DCMR (Alcoholic Beverage and Food),
 3. Landlord will contribute to the About-to-be installed "BID" program.
 4. The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 DCMR 1513.5.
 5. The parties further agree that acoustic music (lightly amplified) will be allowed one day per week provided that it does not extend past 12:00 midnight on weekdays.

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

BY: 

ADVISORY NEIGHBORHOOD COMMISSION 6B:

BY: 